

1497 Rec'd PCT/PTO 06 FEB 2006

FORM PTO-1390
(REV 5-93)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER

103120-00072

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

DATE: February 6, 2006

U.S. APPLICATION NUMBER
(IF KNOWN, SEE 37 C.F.R. 1.5)
NEW PATENT APPLICATION

10/567345

INTERNATIONAL APPLICATION NUMBER

PCT/FR2004/050376

INTERNATIONAL FILING DATE

August 5, 2004

PRIORITY DATE CLAIMED

August 6, 2003

TITLE OF INVENTION: SOLID DISPERSIBLE AND/OR ORODISPERSIBLE NON-FILMY CONTAINING AT LEAST ONE TYPE OF ACTIVE SUBSTANCE PHARMACEUTICAL COMPOSITION AND METHOD FOR THE PREPARATION THEREOF

APPLICANT(S) FOR DO/EO/US: Jérôme BESSE (Listrac Medoc, France)

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

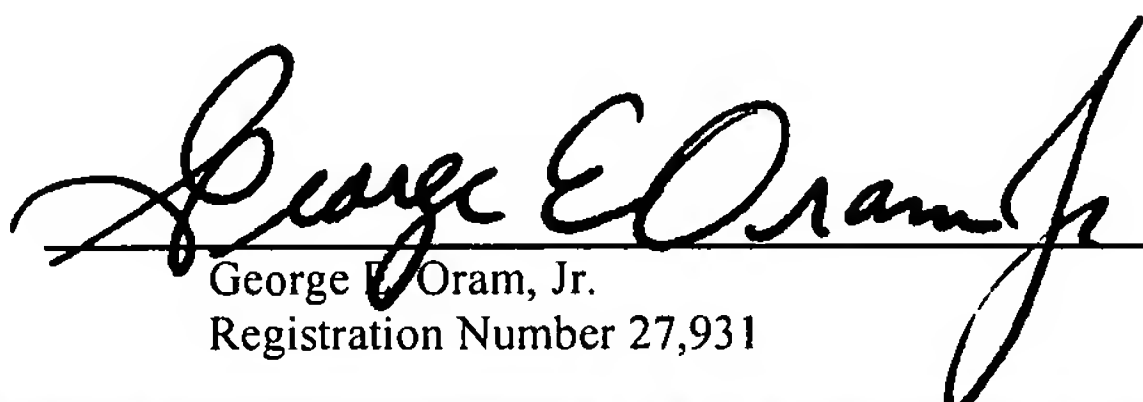
1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The U.S. has been elected (Article 31).
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. ☒ is attached hereto (required only if not transmitted by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application into English [35 U.S.C. 371(c)(2)].
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a. ☐ are attached hereto (required only if not transmitted by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☐ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 to 20 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98, PTO/SB/08a, and International Search Report.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 C.F.R. 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Applicant herein qualifies for small entity status under 37 C.F.R. 1.9 and 1.27, and acknowledgement of this status by the U.S. Patent and Trademark Office is hereby requested.
21. ☒ Other items or information: Certification of Translation, Drawings (Figs. 1-4; 2 sheets), WO 2005/013957 A2 (copy)

10/567345

IAP9 Rec'd PCT/PTO 06 FEB 2006

U.S. APPLICATION NUMBER (IF KNOWN, SEE 37 C.F.R. 1.50) NEW PATENT APPLICATION		INTERNATIONAL APPLICATION NUMBER PCT/FR2004/050376		ATTORNEY DOCKET NUMBER 103120-00072	
The following fees are submitted				CALCULATIONS	PTO USE ONLY
22. <input checked="" type="checkbox"/> Basic National Fee	 \$300.00		\$ 300.00	
23. <input checked="" type="checkbox"/> Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100.00 All other situations \$200.00				\$ 200.00	
24. <input checked="" type="checkbox"/> Search Fee Search Fee (37 CFR 1.445(a)(2)) has been paid on the International Application to the USPTO as an International Search Authority \$100.00 International Search Report prepared and provided to the Office \$400.00 All other situations \$500.00				\$ 400.00	
TOTAL OF CALCULATIONS FOR 21, 22 AND 23				\$ 900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate		
- 100 =	/ 50 =		X \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	37 - 20 =	17	X \$ 50.00	\$ 850.00	
Independent Claims	4 - 3 =	1	X \$200.00	\$ 200.00	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$ 360.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 2,310.00	
Reduction by one-half for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28). -				\$	
SUBTOTAL =				\$ 2,310.00	
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)]. +				\$	
TOTAL NATIONAL FEE =				\$ 2,310.00	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$ 2,310.00	
				Amount to be refunded	\$
				Charged	\$
<p>a. <input checked="" type="checkbox"/> Check #440327 in the amount of \$2,310.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account Number 01-2300 in the amount of \$.00 to cover the above fee. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account Number 01-2300, referencing Attorney Docket Number 103120-00072.</p> <p>NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO: Customer Number 004372 ARENT FOX PLLC 1050 Connecticut Avenue, NW Suite 400 Washington, DC 20036-5339 Telephone: 202-857-6000 Fax: 202-638-4810 GEO:vmh</p>					
<p style="text-align: right;">  George E. Oram, Jr. Registration Number 27,931 </p>					